

Comments

The Examiner has rejected claims 1, 2, 4, 5, 7, 9-13 and 15 pursuant to 35 U.S.C. § 102(b) as being anticipated by U. S. Patent 4,907,649 to Bode. The Examiner's rejection is respectfully traversed. The Examiner refers to elements 44 and 107 as sleeves with curved inner surfaces 47 and 67, respectively. Neither of the elements identified by the Examiner in Bode can be characterized as sleeves like those defined in independent claims 1, 7 and 12.

Element 44 in the Bode patent is a sleeve with undulations 47 and 49. Element 67 is a U-shaped tab that is bent inwardly and element 107 is a restriction sleeve. The purpose of each, as described in the Bode patent, is to cause an increase in pump pressure as the dart passes through the Bode restrictions so that the location of the dart or plug can be determined at the surface. None of the restrictions (i.e., sleeve 44, sleeve 107 or tab 67) are used to prevent the downward movement of the dart and none of the restrictions engage or interfere with the dart in such a way as to limit or prevent rotation during drillout. It is clear from the Bode patent that the restrictions are positioned merely to create increases in pressure for purposes of locating the dart in the string and are not used, nor based on the structure does it appear that the restrictions could be used to limit the rotation of the plugs during drillout. The plugs pass through the restrictions as a result of fluid pressure and thus do not and could not meet the limitations of the claims set forth herein. The downward force applied by a drill would likewise urge a plug through the Bode restrictions, and the Bode restrictions clearly would not, and cannot limit plug rotation during drillout of the plug. Although it is believed that the claims as written should be allowed over Bode, claim 1 has been amended to include the language that the interference fit is "sufficient to prevent or limit rotation of the cementing plug during drillout of the cementing plug." Similar limitations have been added to claims 7 and 12. Because the restrictions in Bode do not limit or prevent rotation

of cementing plugs during drillout as specifically defined and required by the claims, the Bode patent cannot be said to anticipate claims 1, 7 or 12 or any of the claims that depend therefrom. As such, all of the claims in the instant application should be allowed.

Conclusion

Accordingly, and for the reasons set forth herein, Applicants respectfully request reconsideration along with the allowance of claims 1-9, 13-15, along with previously allowed claims 16 and 17.

Respectfully submitted,



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